

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3

4 JILL H. COFFMAN,

5 Petitioner,

6 vs.

7 QUEEN OF THE VALLEY MEDICAL CENTER,

8 Respondent.

CASE No. 17-cv-05575-YGR

**ORDER DENYING MOTION FOR STAY OF
INJUNCTION PENDING APPEAL**

Re: Dkt. Nos. 34

9 The Court has reviewed the Administrative Motion of Respondent Queen of the Valley
10 Medical Center ("QVMC") for Stay of Injunction Pending Appeal (Dkt. No. 34), seeking a stay
11 pursuant to Rule 62(c) of the Federal Rules of Civil Procedure and Ninth Circuit Rule 27-3, and
12 the response thereto. Having carefully considered the arguments therein and the record in this
13 matter, the motion for stay is **DENIED**. The Court does not find that a stay is warranted.

14 QVMC's argument that it was not permitted to present evidence relative to the irreparable
15 harm factor is not supported by the record. Petitioner submitted evidence of irreparable harm
16 regarding loss of union support and unilateral changes, in the moving papers. It is this evidence
17 upon which the Court relied in reaching its decision. In its response to the moving papers, QVMC
18 characterized the evidence as insubstantial and disingenuous, but did not offer its own evidence on
19 this factor. Although QVMC objected to the petitioner's rebuttal evidence on this factor, which
20 objection the Court overruled, QVMC did not seek to present its own evidence at or before the
21 hearing.¹

22 **IT IS SO ORDERED.**

23 This terminates Docket No. 34.

24 Dated: December 5, 2017

25 
26 YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE

27 ¹ The health care benefits issue, to which QVMC refers in footnote 4 of the instant motion,
28 concerned an upcoming open enrollment period, evidence of which was not part of the filings in
the case and not discussed in the briefing. (11/21/17 Transcript 36:15-37:2.)